

REMARKS/ARGUMENTS

The Office is requiring an election of species. Applicants provisionally elect, with traverse, the following species:

A - glycine; and

B - water-soluble granulate form,

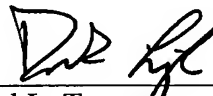
for examination. The elected species is encompassed by at least claims 1-6 and 9.

Applicants make no statement regarding the patentable distinctness of the species, but note that for restriction to be proper, there must be a patentable difference between the species as claimed. MPEP § 808.01(a). The burden is on the Examiner to provide reasons and/or examples to support any conclusion in regard to patentable distinction. MPEP § 803. The Office has not provided any reasons or examples to support a conclusion that the species are indeed patentably distinct.

Accordingly, Applicants respectfully submit that the restriction is improper, and Applicants' election of species is for examination purposes only. Applicants respectfully request that the election requirement be withdrawn.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, L.L.P.



Richard L. Treanor
Registration No. 36,379

Customer Number

22850

Tel. (703) 413-3000
Fax. (703) 413-2220
(OSMMN 07/09)

Derek A. Lightner
Registration No. 57,298